

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 15, 2005

DIVISION ONE

B170534 Tikosky (Not for Publication)
v.
Yehuda

In defendant Yehuda’s appeal, we affirm the judgment and award Tikosky his costs. In plaintiff Tikosky’s appeal, we reverse the order denying Tikosky’s motion for attorney fees and remand for the trial court to enter a reasonable attorney fee award for Tikosky. We award Tikosky his costs.

Suzukawa, J. (Assigned)

We concur: Spencer, P.J.
Mallano, J.

B172698 John Monks et al.
v.
City of Rancho Palos Verdes

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B181253 Neumann
v.
Rubin et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed February 7, 2005) dismissed.

DIVISION TWO

B174785 John Rea (Certified for Publication)

v.

Workers Compensation Appeals Board

Erez Boostan, et al., Respondent

The new procedures in Milbauer I and the decision in Milbauer II are annulled. The matter is remanded for further proceedings consistent with this decision.

Nott, J.

We concur: Boren, P.J.
Doi Todd, J.

B166109 Wellness Innovations Corp., et al. (Not for Publication)

v.

Mia Noble

The judgment is affirmed. Respondent(s) to recover costs.

Nott, J.

We concur: Boren, P.J.
Doi Todd, J.

DIVISION FIVE

B168667 Charles Bouley (Certified for Publication)

v.

Long Beach Memorial Medical Center et al

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
Mosk, J.

March 15, 2005 (Continued)

DIVISION FIVE (Continued)

B170186 The People (Not for Publication)
v.
Ranger Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

I concur: Armstrong, J.
I concur: Turner, P.J. (opinion)

B174281 Carlos Rodriguez (Not for Publication)
v.
D/K Environmental

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J. (Assigned)

B172567 Fred Adelman (Not for Publication)
v.
Robinson, Diamant & Wolkowitz

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
Mosk, J.

DIVISION FIVE (Continued)

B173530 Steven Beach (Not for Publication)

v.
City of Monrovia

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

I concur: Turner, P.J.
I concur: Mosk, J. (opinion)

DIVISION SIX

B166870 Songer (Not for Publication)

v.
Bordan

The judgment is affirmed. Costs on appeal are awarded to respondent.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B172872 Saltzburg, Ray & Bergman (Not for Publication)

v.
James

The order denying the petition to compel arbitration is reversed. We remand the matter to the trial court for entry of an order granting the petition to compel arbitration. Costs on appeal are awarded to Appellant.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

March 15, 2005 (Continued)

DIVISION SIX (Continued)

B177958 People (Not for Publication)
v.
Ramos

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B173553 Torres (Not for Publication)
v.
Armenta, et al.

The order granting the anti-SLAPP motion is affirmed. The order denying attorney's fees is reversed and the matter is remanded to the trial court with directions to award respondents' reasonable fees pursuant to section 425.16 subdivision (c). Respondents are awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B177986 Dept. of Alcoholic Beverage Control (Certified for Publication)
v.
Alcoholic Beverage Control Appeals Board
(Quintanar et al., r.p.i.)

The Board's reversals of the Department's decisions are affirmed. The parties are to bear their own costs in these writ proceedings.

Johnson, J.

We concur: Perluss, P.J.
 Zelon, J.

March 15, 2005 (Continued)

DIVISION SEVEN (Continued)

B163055 Zena Briggs (Not for Publication)
B167985 v.
B169730 Warren Williams
B173407

The appeals in case nos. B167985, B169730 and B173407 are dismissed.
In case no. B163055, the restraining orders are affirmed and the remainder
of the appeal is dismissed.

Johnson, Acting P.J.

We concur: Woods, J.
 Zelon, J.

DIVISION EIGHT

B170044 Petco Animal Supplies, Inc. (Not for Publication)
 v.
 Farmers And Merchants Bank Of Long Beach,

The judgment is affirmed. The parties are to bear their own costs on
appeal.

Boland, J.

We concur: Rubin, Acting P.J.
 Flier, J.

B162237 Global Naps Realty, Inc., (Not for Publication)
 v.
 Falcon Investment Group

The judgment and the order awarding attorney fees are affirmed.

Cooper, P.J.

We concur: Boland, J.
 Flier, J.

DIVISION EIGHT (Continued)

B169034 AIU Insurance Company (Not for Publication)

v.

Clarendon America Insurance Company

Judgment on the pleadings is reversed and the matter is remanded for further proceedings in the trial court. Appellant is to recover costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
 Flier, J.

B169708 Davis etc. (Not for Publication)

v.

Taxe et al.

The judgment is affirmed. Respondents to recover their costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

B176367 In re Angelica S., et al., (Not for Publication)
 Los Angeles County, D.C.S.

v.

Teodoro H.,

The dispositional order is affirmed.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.

March 15, 2005 (Continued)

DIVISION EIGHT (Continued)

B169133 People (Not for Publication)

$$\mathbf{V}_i$$

Christopher P.,

In re Christopher P., a Person Coming Under the Juvenile Court Law.

The appeal from the order of December 12, 2002 is dismissed as moot. The order of March 5, 2002, is affirmed.

Cooper, P.J.

We concur: Boland, J.

Flier, J.

B171456 People (Not for Publication)

V.

Peter Samuel Gonzalez et al.

With respect to Gonzalez, the enhancement is modified from one pursuant to Penal Code section 12022, subdivision (d) to one under Penal Code section 12022, subdivision (a). The case is remanded for resentencing. Following resentencing, the clerk shall forward an amended abstract of judgment to the appropriate prison authorities. The amended abstract of judgment shall include 752 days of presentence conduct credit for Gonzalez. With respect to Martinez, the case is remanded for resentencing. Following resentencing, the clerk shall forward an amended abstract of judgment to the proper prison authorities. In all other respects, the judgments are affirmed.

Cooper, P.J.

We concur: Rubin, J.

Flier, J.

B167509 Fischl

B169530 v.

New Horizons Computer Learning Centers, Inc. et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)